



IPW

PATENT
ATTORNEY DOCKET: 046884-5459

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Tatsuya MATSUMURA et al.

Application No.: 10/571,996

Filed: March 15, 2006

For: X-RAY TUBE

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)
) Confirmation No.: 5583
)
) Group Art Unit: 2882
)
) Examiner: Mona M. Sanei
)
)

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop Amendment
Alexandria, VA 22314

Sir:

AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment in response to the Office Action dated November 28, 2007.
2. Additional papers enclosed:
 - ☒ Information Disclosure Statement
 - ☒ Form PTO-1449
 - ☒ Submission of Replacement Drawings: eighteen (18) replacement sheets containing twenty-eight (28) figures
 - ☐ Declaration of Biological Deposit
 - ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☒ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.

☐ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 460.00	\$ 230.00
<input type="checkbox"/> three months	\$ 1,050.00	\$ 525.00
<input type="checkbox"/> four months	\$ 1,640.00	\$ 820.00

Extension of time fee due with this request: _____

If an additional extension of time is required, please consider this a Petition therefor.

☐ An extension for _____ months has already been secured and the fee paid therefor of _____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	18	minus	20	0	x \$50 each =	\$000.00
Independent Claims (37 C.F.R. §1.16(b))	3	minus	3	0	x \$210 each =	\$000.00
[] First presentation of Multiple dependent claim(s)					\$370.00	\$000.00
SUB-TOTAL =						\$000.00
Reduction by ½ for filing by a small entity						\$000.00
TOTAL FEE =						\$000.00

6. Fee Payment

- ☐ No fee is to be paid at this time.
- ☒ Enclosed is a check in the amount of \$180.00 for payment of the IDS fee.
- ☐ The Commissioner is hereby authorized to charge _____ to Deposit Account No. 50-0573 for the _____ fee.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0573.

Respectfully submitted,

DRINKER, BIDDLE & REATH LLP


By:

Paul A. Fournier

Registration No. 41,023

Dated: February 21, 2008

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Sir:

SUBMISSION OF REPLACEMENT DRAWING SHEETS

Filed herewith are eighteen (18) replacement sheets of patent drawings containing twenty-eight (28) figures. It is requested that these drawings be approved and made part of the official record in the above-identified patent application.

These Replacement Drawing Sheets, which include all of Figs. 1-18 in this application, replace the previously-filed drawing sheets. In these Replacement Drawing Sheets, Fig. 15 has been amended to replace reference numeral "450" with --440-- in response to the objection to the drawings in the Office Action and consistent with the Examiner's helpful suggested revision.

It is respectfully submitted that these changes introduce no new matter as they conform to the specification and/or drawings as originally filed, pursuant to 37 C.F.R. § 1.81(d).

If there are any fees due in connection with the filing of these drawings, please charge the fees to our Deposit Account No. 50-0573. If a fee is required for an extension and the fee should also be charged to our Deposit Account.

Respectfully submitted,

DRINKER BIDDLE & REATH LLP

Dated: February 21, 2008

By:



Paul A. Fournier

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